

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

TED MARCUM,	:	
Plaintiff,	:	
v.	:	Case No. 3:17-cv-437
SHERIFF DAVE DUCHAK, <i>et al.</i> ,	:	JUDGE WALTER H. RICE
Defendants.	:	

---

DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATIONS (DOC. #144);  
OVERRULING PLAINTIFF'S MOTION FOR RECONSIDERATION  
(DOC. #140)

---

Based on the reasoning and citations of authority set forth by United States Magistrate Judge Sharon L. Ovington in her June 23, 2021, Report and Recommendations, Doc. #144, as well as upon a thorough *de novo* review of the Court's file and the applicable law, the Court ADOPTS said judicial filing, and OVERRULES Plaintiff's Motion for Reconsideration, Doc. #140, of the Court's March 19, 2018, Decision and Entry dismissing the claims brought against Defendant Sheriff Dave Duchak in his individual capacity, Doc. #49.

Although Plaintiff was advised of his right to file Objections to the Report and Recommendations, and of the consequences of failing to do so, no Objections were filed within the time allotted.

Only the § 1983 Equal Protection claim brought against Sheriff Duchak in his official capacity remains for trial on April 4, 2022.

Date: July 14, 2021

  
\_\_\_\_\_  
WALTER H. RICE  
UNITED STATES DISTRICT JUDGE